

Confirmation No. 3872

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	GOFF	Examiner:	Mamo, E.
Serial No.:	10/538,458	Group Art Unit:	2184
Filed:	June 10, 2005	Docket No.:	US020598US2 (NXPS.353PA)
Title:	ENCAPSULATED HARDWARE CONFIGURATION/CONTROL		

AMDENDED APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 65913

Dear Sir:


This Amended Appeal Brief is submitted pursuant to 37 C.F.R. §41.37, in response to the Notification of Non-Compliant Appeal Brief dated November 6, 2009. Section IV of the Appeal Brief, titled Status of Amendments, presents the status of the amendment which was entered after the Final Office Action dated May 29, 2009.

This amended Section IV is presented in and as part of a Replacement Sheet (as attached) to be used in place of the Section IV in Appellant's Appeal Brief filed on October 16, 2009. As can be best understood, Appellant submits that this Amended Brief overcomes the reason for non-compliance stated in the notification. For any other issue, Appellant would request an opportunity to respond.

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 
Name: Robert J. Crawford
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(NXPS.353PA)

Attachment: Replacement Sheet

I. Real Party In Interest

The real party in interest is NXP Semiconductors. The application is presently assigned of record, at reel/frame nos. 017413/0445 to NXP, B.V., headquartered in Eindhoven, the Netherlands.

II. Related Appeals and Interferences

While Appellant is aware of other pending applications owned by the above-identified Assignee, Appellant is unaware of any related appeals, interferences or judicial proceedings that would have a bearing on the Board's decision in the instant appeal.

III. Status of Claims

Claims 1-15 stand rejected and are presented for appeal. The final office action noted an objection to claims 7-10 due to informalities, which have been since been corrected. A complete listing of the claims under appeal is provided in an Appendix to this Brief.

IV. Status of Amendments

An Amendment and Response to the Final Office Action dated May 29, 2009 was filed on June 22, 2009, and the amendment has been entered as noted in the Advisory Action dated July 7, 2009.

V. Summary of Claimed Subject Matter

As required by 37 C.F.R. § 41.37(c)(1)(v), a concise explanation of the subject matter defined in the independent claims involved in the appeal is provided herein. Appellant notes that representative subject matter is identified for these claims; however, the abundance of supporting subject matter in the application prohibits identifying all textual and diagrammatic references to each claimed recitation. Appellant thus submits that other application subject matter, which supports the claims but is not specifically identified above, may be found elsewhere in the application. Appellant further notes that this summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to the appended claims and their legal equivalents for a complete statement of the invention.